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March 3, 2024

The Hon. Katherine Polk Failla  
United States District Court for the Southern District of New York  
40 Foley Square  
New York, NY 10007

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**MEMO ENDORSED**

Re: A&E Television Networks, LLC v. Big Fish Entertainment, LLC et al., 22-cv-07411 (S.D.N.Y.)

Dear Judge Failla:

We write on behalf of Plaintiff A&E Television Networks, LLC (“AETN”) pursuant to Rule 9 of the Court’s Individual Rules of Practice to respectfully request permission to file AETN’s letter regarding the parties’ discovery dispute with limited redactions, and to file an exhibit thereto under seal. The redacted information has been designated Confidential and/or Highly Confidential by Defendants under the Protective Order in place in this action (ECF No. 58), on the basis that they contain sensitive commercial information that would cause competitive harm to Defendants if disclosed. The exhibit filed under seal contains a portion of a February 27, 2024 deposition transcript which, under the Protective Order, is treated as Highly Confidential until 30 days after the final transcript is received.

We thank the Court for its consideration.

Respectfully submitted,

/s/ David L. Yohai  
David L. Yohai

cc: All counsel of Record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 85 under seal, viewable to the Court and the parties only.

The Clerk of Court is further directed to terminate the pending motion at docket entry 84.

SO ORDERED.

Dated: March 4, 2024  
New York, New York



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE